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HOUSE BILL No. 36.]

[EXTRA SES. 1863.]

Introduced by Mr. SHERWOOD, of Guilford.

W. W. Holden, Printer to the State.

A BILL TO BE ENTITLED, "AN ACT TO AMEND THE 51ST CHAPTER OF THE LAWS OF NORTH-CAROLINA, PASSED AT THE FEBRUARY SESSION, 1863, OF THE PRESENT GENERAL ASSEMBLY," AND RATIFIED THE 10TH DAY OF FEBRUARY, 1863.

SECTION 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That the first section of the 51st Chapter of the Public Laws passed at the February session, 1863, of the present General Assembly, ratified the 10th day of February, 1863, be amended by striking out the words, "commissioned officers of companies shall elect," and inserting the words, "GOVERNOR SHALL APPOINT."

SEC. 2. *Be it further enacted,* That in addition to the exemptions set forth in the 3d Section of the act aforesaid, there shall be exempted from the performance of militia duty, the following: County Solicitors, constables, county finance committees, wardens of the poor, the members of the boards of relief of soldiers' families in the different counties, manufacturers of ploughs and hoes habitually engaged in such business, one apothecary to every drug store of six months standing, schoolmasters having under their charge not less than twenty scholars, the superintendent, operatives and necessary employees of all paper mills, the proprietors and managers of which, in the disposal of their productions give the preference to the conductors of the Press of this State, the superintendent,

15 operatives and necessary employees of any chemical
16 works or manufactory of cotton or woolen cards, all justices
17 of the peace, all persons who have furnished substitutes
18 to the army of the Confederate States, all fathers of fami-
19 lies having three or more children under 12 years of age
20 whose support depends upon their labor, all persons mem-
21 bers of religious churches in sects, whose tenets forbid
22 the bearing of arms, and coroners, and the President and
23 cashier of the banks in the State.

SEC. 3. *Be it further enacted*, That the Governor shall
2 have power when the militia, or any part thereof, may be
3 called into actual service, upon the application of the
4 heads of any of the departments of the Confederate go-
5 vernment, and detail any militia-man, then in the em-
6 ployment of the Confederate government, for the per-
7 formance of any duty owing said government.

SEC. 4. *Be it further enacted*, That the Governor shall
1 cause to be enrolled and kept enrolled, any and all persons
2 who are exempted from the performance of militia duty
3 by this section; and they shall be liable to be called upon
4 by the Governor to act in aid of the militia in enforcing
5 obedience to the laws of this State; and when so called
6 out by the Governor, they shall serve under the orders of
7 the officers of the militia, within the bounds of whose com-
8 pany and regiment they may reside; and when so called
9 out they shall, in all respects, be liable to the performance
10 of all the duties, under the like penalties for non-perform-
11 ance or dereliction, and to all the rights, pay and privileges
12 if they constituted a part of the militia.

SEC. 5. *Be it further enacted*, That in case of the mili-
1 tia, or any part thereof being called into actual service, it
2 shall be the duty of the Surgeon-General to prescribe all
3 rules and regulations and to issue all needful instructions
4 to the surgeons of the different regiments, in order to the
5 better ascertaining such as are able to perform military
6 duty in the field; and no discharge from the performance
7 of such duty shall be valid, unless approved or granted by
8 the Surgeon-General.

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